Unit 46

Kassen Hand-out 2:

identity cards

*Disclaimer: the facts in this scenario are entirely fictitious. Any resemblance with actual facts is mere coincidence.*

#### Fanoko cheese maker from the eastern province (Female)

You are a Fanoko cheese maker, based in the rural areas of the Eastern Province, and experienced in making Fanoko cheese in the traditional way with a group of other women. You believe that eating the cheese is an important aspect of Fan identity, not just on the Day of Bread but throughout the year. You are happy when other people want to buy and eat the cheese too, as it means income for cheese makers. However, it is difficult for you to sell your own cheeses to people outside your immediate area as transport networks are poor. Most of your cheeses are sold to Fan people living in or near the village. You would like to see more jobs being created in the village through broader marketing of rurally-produced cheese in the cities.

You hear news of the city through your son who has moved there. You are proud of your capacity to find subtle new combinations of dried fruit, nuts or seeds to add to the cheese for texture almost every year and are disappointed to hear that city Fanoko makers are not experienced enough to experiment with this. You are also concerned to hear that people are selling cheese made with pasteurized cow’s milk in the city and artificial coagulating agents or chili pepper flavours, and calling it Fanoko. You think the proposal to start factory production of such cheeses and trademark the name will insult the name of Fanoko. You think that using any kind of pasteurized milk spoils the cheese and are worried about new health laws that may require all milk, including goat and camel milk, to be pasteurized before cheese is made from it.

The cheeses are stored underground in ceramic pots because you do not have another cool place to keep it during maturation, but you do not see this as an essential aspect of the cheese-making tradition as it does not affect the taste. If city cheese makers cannot find a good place to bury their pots they should use the old method of wet cloths or find another cool place to store the pots for a few months instead.

You are not sure about the idea of forming an association of cheese makers to protect your use of the name as you have never had an association before. Maybe it is just a bigger version of the groups of women working together as cheese makers in the village.

#### Young cheese maker from the Eastern province (female)

A young Fanoko maker, based in the rural areas of the Eastern Province, you have been learning to make cheese for a few years already as part of the group of women in the village.

You attended the meeting about inventorying held in the Eastern Province, and understand the aims of the Convention. You know that it is the communities concerned who, under the Convention, are required to identify their ICH. You recognize that it is important to seek common ground within the Fan community about the meaning and value of Fanoko, what should be prioritized for safeguarding, and how to safeguard it. For you, as for your seniors, the importance of cheese making as a tradition lies more in the skill and craft of making cheese, and its association with the independent spirit of the Fan, than its use in the 10 November Day of Bread festivities.

You know most Fanoko makers will oppose the idea that Fanoko cheese can be made with cow’s milk or by using a different coagulating ingredient. Opinion is likely to be divided on whether burying it during maturation is necessary and on flavours.

You are frustrated by the lack of jobs in the village and the small market for the cheeses. You have plans to move to one of the cities and start a small food stall. In the city, you plan to join a new group of women from your area, and carry on the process of learning to make cheese, returning periodically to the village (if you have the funds to do so). You know that the market for Fanoko is still small, and most young people going to the city will not want to make cheese, except for a few dedicated people like yourself.

You do not believe that you will suddenly lose your confidence with cheese making when you get to the city, but do not know what to expect there. Joining groups of cheese makers getting together in the peri-urban areas will help you to feel at home, and create a support network for you in the city. You take the view that city-based cheese makers can easily come home to the villages for instruction when they need it (the distance is only a few hundred kilometres). Cheese makers, both in and near the cities and in the rural areas also need to be assisted in starting businesses.

Although rural cheese making should be supported to encourage young people staying in the eastern part of the country, you also think it is a good idea to improve the supply of camel and goat milk, as well as the Goilama plant to cheese makers in the peri-urban areas near the city.

You do not support registering a geographical indication that restricts the use of the name Fanoko to cheese made in the east of the country. You believe that anyone should be allowed to make Fanoko, including non-Fan, as long as they make it properly. Anyway, discrimination on the basis of ethnic identity is prohibited in the Kassen constitution.

#### goat and camel farmer in the rural area

You are a Fan community member who farms goats and camels in the rural areas of the Eastern Province. You have about 60 livestock in total, and produce more milk than people in the village can drink, or the local cheese makers can use. You are therefore looking for markets for the milk but there are no refrigerated trucks in the neighbourhood that you can hire, and the roads are bad. There are no opportunities to send it to the city where there is growing demand for it, or to other rural areas. You feel that government is not doing enough to support rural businesses, and help them to benefit from new opportunities to supply industries created in the cities and peri-urban areas.

On 10 November each year all your extended family come together to celebrate the Day of Bread. They feel this is a very important day for all Fan in the annual calendar, representing the bounty of the earth, and would like to see it highlighted in the inventory. Your family makes and eats Fanoko throughout the year as they have a free supply of the milk. Your daughter makes the cheese. She does not bury it in the ground for maturation when the rains come as the farm is located in a low-lying area that can become swampy. In recent years she has been having difficulty getting supplies of the Goilama plant because of the drought.

#### fan Taxi driver living near the city

A Fan, former schoolteacher in Eastern Province who has lived in a peri-urban settlement near the city for some years and struggles to make ends meet. You work as a taxi driver. You are interested in any kind of job promotion scheme in the city.

You enjoy eating Fanoko when you can get it, but do not generally eat it on 10 November’s Day of Bread, when it tends to be very expensive. You do not like the taste of Fanoko made with cow’s milk, and would rather eat other kinds of cheese instead of wasting your money on that. You are angry that Kassi poets and writers have been so rude about the taste of Fanoko in the past, and are against representing it as ‘heritage of Kassen’.

You do not like the fact that the Kassi businessman is planning to make Fanoko cheese. You believe that the Fanoko cheese is something for the Fan to do, and not for others. You therefore support the idea that only Fan community members should be allowed to make the cheese, and would like to see an association of Fanoko makers implement the prohibition on non-Fan cheese makers.

As someone interested in environmental issues, one of your concerns is the increased demands that will be placed on the wild populations of the Goilama plant if production of Fanoko is stepped up. This needs to be addressed if a safeguarding plan is going to promote Fanoko production, whether in the city or the rural areas.

#### rogue cheese maker in the city

A Fan community member, before migrating to the city you remember that as a child your mother used to make Fanoko. You learned to make Fanoko by yourself, through trial and error with the ingredients available in the city: pasteurized cow’s milk and artificial coagulating agents. You think that the taste of cow’s milk (and the terrible taste of mature Fanoko) can be masked with strong flavourings like chili and vinegar. Maturation of cheeses is for people with plenty of time, which you do not have. You are concerned about unsustainable harvesting of the Goilama plant in rural areas and feel that using alternatives would be more eco-friendly.

You call yourself a ‘rogue Fanoko maker’. Your cheese is currently sold in the smart restaurants of the city and you have plans for it to be marketed as ‘rogue Fanoko’ abroad. You have started making quite a bit of money from the cheese making, but you feel that this is still authentic artisan cheese and not a factory product. Your work is unusual but you believe it should be regarded as part of the tradition. It is important not to ‘freeze’ the tradition. Anyone should be allowed to make Fanoko in new and exciting ways, as long as it remains artisan cheese.

#### Fan lawyer from the city

You are one of the few legal experts from the Fan community and you work for a commercial law firm in the capital city. You never liked eating Fanoko that much yourself, but on the Day of Bread you believe it is important for your family to have some, and you do like to crumble some of the new varieties in your breakfast porridge and to eat it after dinner at the restaurants in the city. You would be very frustrated if factory-made cheese could be marketed as Fanoko, but you would also like to distinguish between the ‘rogue Fanoko’ (a ridiculous product for non-Fan yuppies) and more traditional cheeses that are eaten on the Day of Bread.

You are accompanied by a junior lawyer from your firm (the facilitator) whom you can consult on intellectual property matters and who may ask various questions in the session. As part of the corporate social responsibility project in the firm, you are willing to help your colleague advise the community on the use of trademarks to protect the use of the word Fanoko for cheeses made in the traditional way. You understand that it would be possible to oppose the application by the cheese company for the registration of the Fanoko trademark because the cheese company is planning to make Fanoko cheese in a new way, with pasteurized milk, and this will be considered by the court as likely to deceive customers into thinking the Fanoko is made with goat and camel milk in the traditional way.

You will ask the stakeholders to discuss whether protecting the use of the name Fanoko is important to them. You are aware that different kinds of intellectual property protection have different implications for how the community safeguards the Fanoko making, and that the community can decide not to use any kind of intellectual property protection, but simply prevent others from registering the mark.

You will (with your assistant) help the Fan in the meeting to discuss the implications of using different intellectual property protection strategies (certification mark, collective mark and/or indication of regional origin) to protect the use of the name Fanoko. You will help the community members consider the cost of and process by which new cheese makers could join an association, or become certified to use the name ‘Fanoko’.

You will help the group discuss what features of cheese production should be linked to the name (ingredients, maturation process, etc.), and which of the following groups should be able to use the name:

* All those who are accredited by a Fan cheese-makers’ organization that registers a collective mark to protect use of the name; or
* Any cheese makers who meet certain criteria for making the cheese, set out as part of the registration of a certification mark (administered by someone who does not make the cheese); and/or
* All cheese makers who make Fanoko in a specific way within a specific area (set out during the registration of a geographical indication administered by the government). The community could need to decide on the required method and the scope of this area (Should it be the area on which the cheese is made today [rural and peri-urban]? Should it be the area in which the plant is endemic?) Since the plant is not endemic in the south of Kassen, where the cities are, using the endemicity of the plant to define the regional area (the eastern part of Kassen) would not include Fanoko production in the cities of the south.

#### Research advisor to the inventorying project

A university professor in anthropology and an expert in traditional foods, you have been asked to help with the inventorying project and contribute to the safeguarding plan. You are not from the Fan community but often visit the desert areas, bringing back specialist foods. You regularly go to a smart restaurant in the city and have Fanoko as a snack after your meal; secretly you prefer the ‘rogue Fanoko’, but can’t admit it.

You are very excited about the possibility of documenting the traditional art of cheese making for posterity. Although you are fully supportive of the idea of community consultation, you often forget that it is the communities concerned who, under the Convention, are required to identify their ICH. You are passionate about the Fan and feel that you understand the Fan point of view, and can represent it in forums such as this meeting, as you have researched the Fan community for many years.

Based on your studies in the 1980s, when you collected Fan opinions through surveys, you believe that a cornerstone of Fan identity is the festivity on 10 November. You would therefore like to see it become a national holiday, and believe it is this festival that should be listed on the inventory, with the cheese-making as an aspect of the day’s menu. From comparing the Fanoko making tradition to others in different parts of the world you have come to the view that what makes it unique and authentic is the mixture of camel and goat milk and burying the cheese for maturation.

#### health inspector

You work as a health inspector for government; you are from a non-Fan minority and do not like the idea of one ethnic minority getting more attention than another. But most of all you like to focus on the job at hand which is to ensure the safety of the public. You are concerned about health implications of (a) using unpasteurized milk in Fanoko making and (b) maturing Fanoko underground in the peri-urban settlements where the ground may be contaminated with waste.

You want to ensure either that proper steps are taken for all milk to be pasteurized, or that testing is done on all unpasteurized milk used for specialist cheese production to ensure that it is not infected with tuberculosis and other pathogens. Testing systems would need to be funded through an external source, and planned with suppliers and cheese makers. Refrigerated trucks would be needed to transport the milk to urban areas.

You believe that while Fanoko can be safely buried underground in ceramic pots in rural areas without health problems, in the peri-urban settlements the water table is too low and the sanitation too poor for cheese to be safely matured underground.

#### managing director of a cheese factory

You are a businessperson of Kassi origin, based in the city, and keen to contribute to the sustainable development of the country by employing people in the city. You have plans to make Fanoko cheese in your factories for sale at reasonable prices for the local and export markets.

The possibilities for marketing Fanoko are exciting, as the cheese is relatively unknown on the international stage. You would like to see it become known as a key regional product and a symbol of a vibrant national cuisine. You are aware of the Convention because of your friendship with the Minister of Culture. You will propose including it on the inventory as a heritage of Kassen.

You believe that the old ways of producing Fanoko are unsustainable and unhealthy and will not adapt well to a factory setting which is why you are proposing to move with the times in offering a modified product using cow’s milk, just as the Rogue Fanoko maker does. You understand that this is consistent with the definition of ICH in the Convention which is against any ‘freezing’ of ICH.

You have applied to register the name Fanoko as a trademark, but will not of course prosecute any current producers of the cheese for continuing to use the name as well. Your lawyers have advised that this would in any case not be possible, as traditional cheese makers would have prior user rights for the name under national law.

You are generous by nature and wish to help traditional Fanoko makers by sponsoring an annual fair in the city where they can come to sell their products and share recipes. You have some old refrigerated trucks that could be donated to an association of cheese makers if such an association is created, and if they wish to collaborate on a trade fair.

#### sustainable development liaison officer

You work as a sustainable development officer employed by the Ministry of Trade and Industry. You are from the Kassi community but are very interested in the promotion of traditional cultures in the country. You believe Fanoko is part of a broader Kassen heritage. Culture should belong to all, as it is a common good. You are interested in promoting business development in traditional cheese making and in promoting Fanoko as an export product, but only the authentic version of the cheese. There is no point in Kassen selling inferior or fake Fanoko abroad (and here you include the rogue and the factory cheeses).

You can suggest that the government will provide funding to (a) ensure better road and rail connections between suppliers of milk and goilama plant material in rural areas and city cheese makers and/or (b) a training programme to assist peri-urban cheese makers and also undertake cheese production in rural areas. It is easier to justify projects in rural areas under the sustainable development budget, but one of the problems with putting infrastructure into the eastern provinces at the moment is that the area is experiencing some intermittent conflict on the border. Therefore some expenditure could be justified in peri-urban areas if channelled through a trade association of cheese makers. Government development funding could finance the milk inspection system. Trade fairs at which rural farmers sell their produce to city cheese makers and rural cheese makers sell their cheeses to restaurant suppliers might be an interim measure, and municipal funding could be sought for that.

Farming the goilama plant (instead of harvesting it in the wild) might solve the sustainability problem, but testing would need to be done to ensure that the farmed plant had the same effect on the cheese-making process.